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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/317,312	05/24/1999	DONALD F. HEMMINGER	7941	8954

26890 7590 06/25/2003

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EXAMINER

LEVITAN, DMITRY

ART UNIT	PAPER NUMBER
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2662

DATE MAILED: 06/25/2003

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 9

Application Number: 09/317,312
Filing Date: May 24, 1999
Appellant(s): HEMMINGER, DONALD F.

Gregory A. Welte
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed June 05, 2003.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is correct.

(7) *Grouping of Claims*

NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR

1.192(c)

The brief includes a statement that claims Group 1 and Group 2 do not stand or fall together, but fails to present reasons in support thereof as required under 37 CFR 1.192(c)(7).

MPEP § 1206.

Appellant is required to comply with provisions of 37 CFR 1.192(c).

To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 1.192(c) within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or (3) within two months from the date of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) *Prior Art of Record*

6,072,463	GLASER	6-2000
6,297,819	FURST	10-2001

(10) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

1. Claims 1, 2 and 4-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Glaser (US 6,072,463).

Regarding claims 1, 6 and 7, Glaser teaches method and apparatus for a conference among multiple computers (plurality of user workstations 12,14, 16 on Fig. 1 and col.3 lines 23-27), comprising a computer-readable storage medium and software means (col.3 lines 44-67 and col. 4 lines 1-13) for loading a common document into the computers (whiteboard working area 60 on Fig. 2 and col. 4 lines 39-55):

- a. Detecting in one computer, the occurrence of scrolling through a document (computer event in whiteboard area 60, including vertical 62 and horizontal 64 scrolling on Fig. 2 and col. 6 lines 53-67, col. 4 lines 50-55);
- b. When said scrolling terminates, ascertaining which part of the document is being displayed by said computer (mouse-button-down-and-coordinates event on col. 6 lines 53-67 and col. 7 lines 1-15); and
- c. After the ascertainment, transmitting to the other computers data (information packet 102 on Fig. 9 and col. 5 lines 54-67 and col. 6 lines 1-5), which enables them to display said part of the document (refresh and redraw the conference window on col. 7 lines 15-35).

Regarding claim 2, Glaser teaches that the data consists essentially of location of a group of data within the document (information packet 102 on Fig. 9 and col. 5 lines 54-67, col. 6 lines 1-5).

Regarding claim 4, Glaser teaches all computers linked by a packet-switched network (Fig. 1 and col. 3 lines 23-57 and col. 5 lines 54-60).

Regarding claim 5, Glaser teaches maintaining a telephone conference among the participants (microphone/speaker 30a on Fig. 1 and col. 3 lines 57-65).

Regarding claims 11, 15, Glaser teaches accompanying scrolling in one computer by motion of an elevator bar (whiteboard working area 60 including scroll bars 62 and 64 on Fig. 2 and col. 4 lines 50-55).

Regarding claim 12, Glaser teaches scrolling to display different pages at different times (variety of images, such as objects and messages col. 1 lines 26-31).

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Regarding claim 13, Glaser teaches selectively displaying parts of the document (whiteboard working area 60 on Fig. 2) while other parts are not displayed (bottom part of the cost document on Fig. 2).

Regarding claim 14, Glaser teaches synchronized browsing of a web site (variety of images col. 1 lines 26-31) to a subset of computers in the group (subset of the group comprising all the group).

2. Claims 3 and 8-10, 17, 18, are rejected under 35 U.S.C. 103(a) as being unpatentable over Glaser in view of Furst (US 6,297,819).

Glaser substantially teaches all claim limitation of 1 and 8, including packet-switched network, synchronized browsing to some (all) computers of the group and displaying elevator bar.

Glaser does not teach computer navigating and document loading from a web site.

Furst teaches computer navigating (navigation buttons 412 on Fig. 4A and col. 9 lines 18-24, col. 8 lines 5-15) and document loading from web sites (col.1 lines 8-22). It would be obvious to one of ordinary skill in the art at the time the invention was made to add navigation and web loading of Furst to the system of Glaser to increase the system speed and add more information sources.

(11) Response to Argument

On page 16 of the Appeal, Appellant argues that Glaser does not teach scrolling because bars 62 and 64 are located outside the whiteboard area.

Examiner respectfully disagrees.

The scroll bars are clearly shown on Fig. 2-7 as part of the whiteboard area 60, the disclosed coordinates messaging (col. 7 lines 15-30) works perfectly in the scroll bars area and there is no other purpose for the scroll bars but to be used in the whiteboard area.

Appellant's arguments about impossible conflicts in the Glaser method are irrelevant as they do not address any Appellant's claims limitations.

On page 18 of the Appeal, Appellant argues that Glaser does not teach identifying data location within a document, because the document is limited to region 60.

Examiner respectfully disagrees.

Examiner believes that this issue is irrelevant as it was not directly claimed.

On page 19 of the Appeal, Appellant argues that Glaser does not teach telephone conference.

Examiner respectfully disagrees.

Glaser teaches maintaining audio and video transmission among the participants (col. 1 lines 34-38 and col. 3 lines 57-65).

On page 20 of the Appeal, Appellant argues that Glaser does not teach scrolling.

Examiner respectfully disagrees.

Glaser teaches transmitting mouse coordinates and mouse button down events that fully define any possible mouse actions inside whiteboard 60 including scroll bars 62 and 66 (col. 4 lines 50-55 and col. 6 lines 53-67, col. 7 lines 1-15).

On page 21 of the Appeal, Appellant argues that Glaser does not teach transmitting the coordinate within the document.

Examiner respectfully disagrees.

Glaser teaches transmitting mouse coordinates resulting in refresh and redraw of the conference windows (col. 7 lines 31-45).

On page 22 of the Appeal, Appellant argues that Furst does not teach navigating.

Examiner respectfully disagrees.

Furst teaches using links and clickable icons (col. 1 lines 40-52) for navigation/navigating (col. 8 lines 5-20).

On pages 22-25 of the Appeal, Appellant argues that Glaser and Furst references cannot be used together.

Examiner respectfully disagrees.

Both references are disclosing computer networks for parallel document or web display representing a type of video conferencing. Adding system of Furst to the system of Glaser will increase the speed of the system as navigating (jumping to another screen) is faster than scrolling when an additional information is required during presentation; and add web loading feature as additional information source.

On page 26 of the Appeal, Appellant argues that Glaser does not teach other computers to display the final position attained in the scrolling in the first computer.

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Examiner respectfully disagrees.

Glaser teaches transmitting mouse coordinates and mouse button down events that fully define any possible mouse actions inside whiteboard 60 including scroll bars 62 and 66 (col. 4 lines 50-55 and col. 6 lines 53-67, col. 7 lines 1-15) and refreshing and redrawing of the conference windows (col. 7 lines 31-45).


For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,



Dmitry Levitan
Patent Examiner
June 24, 2003

Conferees

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